

REMARKS/ARGUMENTS

This communication is in response to the final Official Action mailed March 27, 2006. With the present response, the claims that remain pending in this application are claims 1 and 2.

Reexamination and reconsideration of the above-identified application and in light of the remarks that follow, are respectfully requested. Because the present claims are believed to be in condition for immediate allowance over the newly-cited prior art, it is submitted that good and sufficient cause exists for the entry of this amendment in accordance with 37 CFR § 1.116.

As an initial matter, the undersigned would like to thank Examiner Contee for the courtesies extended by her during a telephone interview on April 26, 2006. Specifically, during the telephone interview, the undersigned and the Examiner discussed the newly-cited Kidder reference along with the previously cited Knox reference with respect to the rejection of claims 1 and 2. Based on the interview, the Examiner agreed that there were sufficiently distinguishing limitations in claims 1 and 2 that overcame the combination of Kidder and Knox, including the multiplexing of the download audio data and the audio digital data, such data having two different qualities, and the repeated transmission of the multiplexed data within a program period.

In Kidder, different compression streams are sent separately to the user. The later combination of two such streams, such as separately downloaded streams A1 and A2, are combined to produce a higher quality signal. By contrast, the claimed invention multiplexes the signals together in one repeated transmission. Separate streams from multiple user accesses are not then combined together to create a higher

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